

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DANIEL CORDERO, KELLY HYDE
and KEVIN HYDE, on behalf of themselves
and all other similarly situated individuals,

Plaintiffs,

v.

NEW YORK INSTITUTE OF TECHNOLOGY,

Defendant.
-----X

Civil Action No. 12-CV-3208 (SJF)

**DECLARATION OF
DAVID E. GOTTLIEB**

I, David E. Gottlieb, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am an attorney duly admitted to practice law in the Eastern District of New York and am associated with the law firm of Thompson Wigdor LLP, attorneys for Plaintiffs Daniel Cordero, Kelly Hyde, and Kevin Hyde in the above-captioned matter. I have personal knowledge of the facts set forth herein and submit this declaration in opposition to Defendants' motion to dismiss.

2. A true and accurate copy of the relevant section of the New York Institute of Technology's website is attached hereto as Exhibit 1.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 11, 2012
New York, New York

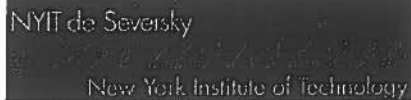


David E. Gottlieb

Exhibit 1

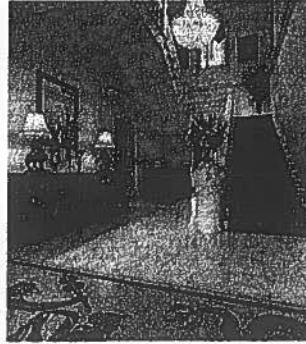
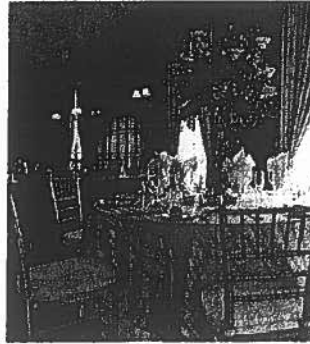
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